

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

CHERIE C. WHITEHURST,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: 6:19-cv-00010
	)	
BEDFORD COUNTY SCHOOL BOARD,	)	
	)	
and	)	
	)	
DOUGLAS R. SCHUCH,	)	
	)	
Defendants.	)	

JOINT REPORT OF RULE 26(f) CONFERENCE

The Plaintiff, Cherie C. Whitehurst, and the Defendants, Bedford County School Board and Douglas R. Schuch, all by counsel, submit the following information as required by Rule 26(f) of the Federal Rules of Civil Procedure:

I. *Conference of the Parties*

The parties, by counsel, held their Rule 26(f) conference via telephone on June 24, 2019. During this call, the parties conferred on all of the subjects provided for in Rule 26(f). The parties continue to explore the potential for resolution of this matter.

II. *Rule 26(f) Requirements*

**a. Any changes in timing, form, or requirements for disclosures under Rule 26(a), and when initial disclosures will be made.**

In light of the Defendants' pending Motion to Dismiss, the parties have agreed to make their initial disclosures within fourteen days following the filing of any Answer by the Defendants. The parties do not request any changes to the form or requirements of their disclosures.

**b. Subjects on which discovery may be needed, when discovery should be completed, and whether to phase discovery or limit or focus it on particular issues.**

The parties expect that discovery will be of a customary nature in this case and will focus narrowly on the allegations contained in the Plaintiff's claims for violation of Title VII of the Civil Rights Act of 1964 and, pursuant to 42 U.S.C. § 1983, for violation of the Fourteenth Amendment to the U.S. Constitution and the Defendants' defenses thereto. The parties do not wish to impose any formal restrictions on discovery beyond what is provided under the Federal Rules of Civil Procedure and, with the exception of their respective expert deadlines, do not request any changes to the timing of discovery from what is required under the Federal Rules of Civil Procedure or as modified by this Court's Pretrial Order. With respect to their expert deadlines, in recognition of the Defendants' pending Motion to Dismiss, the parties desire to extend the applicable deadlines so that the Plaintiff's disclosure is due 105 days from the Court's Pretrial Order (i.e., September 24, 2019) and the Defendants' disclosure is due 120 days from the Court's Pretrial Order (i.e., October 9, 2019).

**c. Any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced.**

The parties do not believe that this case will involve significant ESI discovery and desire to keep ESI-related discovery costs to a minimum. Initially, any ESI will be produced in PDF form unless production in native form is more practicable. If, after initial production, any party desires that an ESI document to be produced in another format, the parties agree that the procedures provided by Rule 34 may then be followed for making and responding to such a request. The parties agree to work together in good faith on all ESI issues.

**d. Any issues about claims of privilege or of protection as trial-preparation materials.**

The parties do not anticipate any particular, non-standard issues with respect to claims of privilege that may be asserted in this action.

**e. Any changes in limitations on discovery imposed by the Federal Rules of Civil Procedure or Local Rules.**

The parties do not request any changes at this time.

**f. Any other orders that the Court should issue under Rule 26(c) or under Rule 16(b) or (c).**

The parties anticipate requesting entry of a protective order for confidential health and employment records.

Respectfully submitted this 28<sup>th</sup> day of June, 2019.

By: /s/ Steven P. Gould  
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